

ASSEMBLY BILL

No. 1357

Introduced by Assembly Member Ruskin

February 22, 2005

An act to amend Section 25722.5 of the Public Resources Code, relating to state purchases.

LEGISLATIVE COUNSEL'S DIGEST

AB 1357, as introduced, Ruskin. State motor vehicle fleets.

Existing law requires the Director of General Services to compile and maintain prescribed information on the nature of vehicles owned or leased by the state, including the number of alternatively fueled vehicles and hybrid vehicles purchased or leased by the state during the year, and the total number owned or leased as of December 31 of each year.

This bill, in addition, would require the Director of General Services to compile and maintain prescribed information on the number of bifuel natural gas and bifuel propane vehicles purchased or leased by the state during the year, the total number owned or leased as of December 31 of each year, and the total amount of fuel used during the year by those vehicles, itemized by type of fuel, as of December 31 of each year.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
2 following:

1 (a) Chapter 900 of the Statutes of 1991 stated the findings and
2 declarations of the Legislature, that “overdependence on the
3 production, marketing, and consumption of petroleum based
4 fuels as an energy resource in the transportation sector is a threat
5 to the energy security of the state due to continuing market and
6 supply uncertainties. In addition, petroleum use as an energy
7 resource contributes substantially to the following public health
8 and environmental problems: air pollution, acid rain, global
9 warming, and the degradation of California’s marine
10 environment and fisheries.”

11 (b) The public’s exposure to toxic air contaminants is a
12 significant environmental health issue in California. Chapter
13 1047 of the Statutes of 1983 enacted a program to identify the
14 health effects of toxic air contaminants and to reduce exposure to
15 these contaminants to protect the public health.

16 (c) In 1998, the State Air Resources Board found diesel
17 exhaust to be a toxic air contaminant.

18 (d) Air pollution effects include respiratory problems, adverse
19 neurological, reproductive, and developmental effects, especially
20 for vulnerable populations such as children, the elderly, pregnant
21 women, and populations living close to freeways.

22 (e) The reasons for reducing our dependence on
23 petroleum-based fuels are even more true today. In order to
24 decrease our dependency on petroleum-based fuels, the state
25 should promote modern technology that will improve the
26 per-mile efficiency of all of the state vehicle fleet, including that
27 of alternative fuel vehicles.

28 (f) Chapter 912 of the Statutes of 2001 stated the findings and
29 declarations of the Legislature, that it is vital to minimize the
30 economic and environmental costs due to the use of
31 petroleum-based and other transportation fuels by state agencies.
32 That measure directed the State Energy Resources Conservation
33 and Development Commission (Energy Commission), the
34 Department of General Services, and the State Air Resources
35 Board to develop and adopt new specifications governing the
36 purchase by the state of motor vehicles that will reduce the
37 petroleum consumption of the state’s vehicle fleet to the
38 maximum extent practicable, in a cost-effective manner.

39 (g) The “California State Vehicle Fleet Fuel Efficiency
40 Report,” published by the Energy Commission, the State Air

1 Resources Board, and the Department of General Services in
2 May 2003 found that the state had commenced to purchase a
3 significant number of bifuel, alternative fuel, flexible fuel,
4 electric, and hybrid vehicles for its fleet. However, the report
5 identifies that there remain some major barriers to achieving the
6 maximum potential reduction in petroleum fuel use in our state
7 fleet.

8 (h) It is important to aggressively reduce and remove barriers
9 that prevent the maximum use of alternative fuels in bifuel and
10 flexible fuel vehicles, and of electric and of hybrid vehicles. This
11 effort should include installation of additional refueling facilities
12 for alternative fuels and charging stations for electric vehicles
13 where appropriate.

14 (i) The initial costs of vehicles that use petroleum-based fuels
15 generally are lower than the initial costs of more efficient and
16 cleaner vehicle technologies. State purchase policies that
17 currently emphasize purchases based on the lowest bid should be
18 adjusted to properly account for the economic savings to the state
19 and reduction in environmental damage that can be achieved by
20 the use of alternative fuel, and electric and hybrid vehicles over
21 the life cycle of the vehicle.

22 (j) In order to ensure that the state is moving as quickly and
23 cost effectively as possible to adopt alternatives to
24 petroleum-based fuels to the maximum extent practicable, it is
25 also important that there is better data collection on the
26 composition and use of the state's fleet of 73,000 vehicles, that
27 are operated by 120 agencies.

28 (k) In addition to focusing on ways to improve the state
29 vehicle fleet, it is important to leverage state efforts and
30 infrastructure to reduce petroleum use by identifying local
31 agency vehicle needs and supporting local agency efforts to
32 upgrade their fleets.

33 (l) As we remove the barriers to improving the efficiency and
34 reducing the pollution of the state vehicles, the Energy
35 Commission, the State Air Resources Board, and the Department
36 of General Services should identify and implement purchasing
37 policies that will enable all government agencies throughout the
38 state, including cities, counties, special districts, and school
39 districts, to also increase purchasing of alternative fuel or hybrid
40 vehicles in a cost effective manner.

SEC. 2. Section 25722.5 of the Public Resources Code is amended to read:

25722.5. (a) ~~On or before January 1, 2005, in~~ *In* order to achieve the policy objectives set forth in Sections 25000.5 and 25722, the Department of General Services, in consultation with the commission and the State Air Resources Board, shall develop and adopt specifications and standards for all passenger cars and light-duty trucks that are purchased or leased on behalf of, or by, state offices, agencies, and departments. Authorized emergency vehicles, as defined in Section 165 of the Vehicle Code, that are equipped with emergency lamps or lights described in Section 25252 of the Vehicle Code are exempt from the requirements of this section. The specifications and standards shall include the following:

(1) Minimum air pollution emission specifications that meet or exceed California's Ultra-Low Emission Vehicle II (ULEV II) standards for exhaust emissions (13 Cal. Code Regs. 1961). These specifications shall apply on January 1, 2006, for passenger cars and on January 1, 2010, for light-duty trucks.

(2) Notwithstanding any other provision of law, the utilization of procurement policies that enable the Department of General Services to ~~accomplish~~ *do all of* the following:

(A) Evaluate and score emissions and fuel economy in addition to capital cost to enable the Department of General Services to choose the vehicle with the lowest life-cycle cost when awarding a state vehicle procurement contract.

(B) Maximize the purchase or lease of hybrid or "Best in Class" vehicles that are substantially more fuel efficient than the class average.

(C) Maximize the purchase or lease of available vehicles that meet or exceed California's Super Ultra-Low Emission Vehicle (SULEV) passenger car standards for exhaust emissions.

(3) In order to discourage the unnecessary purchase or leasing of a sport utility vehicle and a four-wheel drive truck, a requirement that each state office, agency, or department seeking to purchase or lease that vehicle, demonstrate to the satisfaction of the Director of General Services or to the entity that purchases or leases vehicles for that office, agency, or department, that the vehicle is required to perform an essential function of the office, agency, or department. If it is so demonstrated, priority

1 consideration shall be given to the purchase or lease of an
2 alternatively fueled or hybrid sports utility vehicle or four-wheel
3 drive vehicle.

4 ~~(b) On or before December 31, 2005, each~~ *Each* state office,
5 agency, and department shall review its vehicle fleet and, upon
6 finding that it is fiscally prudent, cost-effective, or otherwise in
7 the public interest to do so, shall dispose of nonessential sport
8 utility vehicles and four-wheel drive trucks from its fleet and
9 replace these vehicles with more fuel efficient front-wheel drive
10 passenger cars and trucks.

11 (c) To the maximum extent practicable, each state office,
12 agency, and department that has bifuel natural gas and bifuel
13 propane vehicles in its vehicle fleet shall use the respective
14 alternative fuel in those vehicles.

15 ~~(d) Commencing no later than January 1, 2005, the~~ *The*
16 Director of General Services shall compile and maintain
17 information on the nature of vehicles that are owned or leased by
18 the state, including, but not limited to, all of the following:

19 (1) The number of passenger-type motor vehicles purchased or
20 leased during the year, and the number owned or leased as of
21 December 31 of each year.

22 (2) The number of sport utility vehicles and four-wheel drive
23 trucks purchased or leased by the state during the year, and the
24 number owned or leased as of December 31 of each year.

25 (3) *(A)* The number of alternatively fueled vehicles and hybrid
26 vehicles purchased or leased by the state during the year, and the
27 total number owned or leased as of December 31 of each year.

28 *(B) Of those vehicles described by subparagraph (A), the*
29 *number of bifuel natural gas and bifuel propane vehicles*
30 *purchased or leased by the state during the year, the total*
31 *number of those vehicles owned or leased as of December 31 of*
32 *each year, and the total amount of fuel used by those vehicles*
33 *during the year, itemized by type of fuel, as of December 31 of*
34 *each year.*

35 (4) The justification provided for all sport utility vehicles and
36 four-wheel drive trucks purchased or leased by the state and the
37 specific office, department, or agency responsible for the
38 purchase or lease.

39 (5) The number of sport utility vehicles and four-wheel drive
40 trucks purchased or leased by the state during the year, and the

1 number owned or leased as of December 31 of each year that are
2 alternative fuel or hybrid vehicles.

3 (6) The number of light-duty trucks disposed under
4 subdivision (b).

5 (7) The total dollars spent by the state on passenger-type
6 vehicle purchases and leases, categorized by sport utility vehicle
7 and nonsport utility vehicle, and within each of those categories,
8 by alternative fuel, hybrid and other.

9 (e) Each state office, agency, and department shall cooperate
10 with the Department of General Services data requests in order
11 that the department may compile and maintain the information
12 required in subdivision (d).

13 (f) As soon as practicable, the information compiled and
14 maintained under subdivision (d) and a list of those state offices,
15 agencies, and departments that are not in compliance with
16 subdivision (e) shall be made available to the public on the
17 Department of General Services' Web site.